

House Bill 975 (AS PASSED HOUSE AND SENATE)

By: Representatives Burkhalter of the 50th, Jones of the 46th, Willard of the 49th, Wilkinson of the 52nd, Martin of the 47th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to counties and municipal corporations in general, so as to provide that it shall be unlawful for any county or municipal corporation to issue any backdated license, permit, or other similar authorization under certain circumstances; to provide for a criminal penalty; to provide for related matters; to state legislative intent; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to counties and municipal corporations in general, is amended by adding a new Code Section 36-60-26 to read as follows:

"36-60-26.

(a) It shall be unlawful for any county, municipal corporation, or other issuing authority to issue any backdated license, permit, or other authorizing document, including but not limited to any building permit, sign permit, occupation tax certificate, zoning action, subdivision of land, final plat, or other similar authorization, in any territorial or geographic area which, due to the formation of a county, incorporation of a municipality, annexation or deannexation of territory, or other action, is no longer within the regulatory jurisdiction of said issuing authority. For purposes of this Code section, a license, permit, or other authorizing document shall be considered to be backdated if it in any manner purports to have been issued or have become effective prior to its actual date of issuance.

(b) A license, permit, or other authorizing document in violation of this Code section shall be void in its entirety, and no person shall acquire any rights thereunder.

(c) Any county or municipal officer or employee who knowingly violates this Code section shall be upon conviction guilty of a misdemeanor."

SECTION 2.

The General Assembly declares its belief that this Act is declaratory of previously existing law; and the passage of this Act shall not be construed to imply that prior law was to the contrary.

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.